



Governmental Affairs Consulting

February 8, 2016

James Caruso
Department of Planning and Building
County Government Center
976 Osos Street, Rm 300
San Luis Obispo, CA 93408

Re: VTTM 3074; Request for Adjustment to Title 21.03.010(d)(7), Access and Circulation Design

Dear Mr. Caruso,

In order to accommodate a design that most adequately meets and facilitates the General Plan goals and policies related to development of 399 E Street in Cayucos, I would like to request an Adjustment to Real Property Division Ordinance **Section 21.03.010(d)(7) Access and circulation design**.

This section states:

(d) The following standards shall be applicable to property proposed for division to promote adequate access and circulation:

21.03.010(d)(7)

Private easements, if approved by the planning commission or subdivision review board, may serve as access to no more than an ultimate of five parcels, including parcels not owned by the divider. The number of parcels served by any private easement shall include existing parcels and all future parcels which could be created in the future according to the applicable general plan.

ADJUSTMENT REQUEST

Title 21, the County's Real Property Division Ordinance provides for adjustments to be made to design standards contained within that ordinance at **Section 21.03.020(c)**.

My request is to allow the private easement known as Cypress Glen Court that currently serves four (4) existing residences, to serve as the primary access to my proposed seven (7) lot planned residential development (PD) project. This would result in Cypress Glen Court, a private access easement, serving a total of eleven (11) single family residences.

BACKGROUND and HISTORY

The name "Cypress Glen Court" is a name that I gave to this private road easement back in 1996 when I built three of the four residences utilizing this access. The road improvements that I constructed followed the existing roadbed that had served the single residence for more than half a century. It was a dirt road when I built the three new homes in 1996 and I crafted and recorded a Common Driveway

The name "Cypress Glen Court" is a name that I gave to this private road easement back in 1996 when I built three of the four residences utilizing this access. The road improvements that I constructed followed the existing roadbed that had served the single residence for more than half a century. It was a dirt road when I built the three new homes in 1996 and I crafted and recorded a Common Driveway Maintenance Agreement to define the responsibilities of the three parcels I created through a lot line adjustment. That agreement is in effect today, however, I did not include the single residence that is now utilized by the owner of 24 Cypress Glen Court as a courtesy to the former owner of the property.

The improved road that is in place today was located where it is as a practical solution to accommodate the street runoff that comes down E Street. That runoff is collected in a drain pipe that comes under the road and deposits the water in a swale runs adjacent to the paved access. This was a convenient solution at the time to direct the water to Little Cayucos Creek. That water, to this day, still follows that swale that runs to the creek. In terms of beneficial use, the swale provides a cleansing function for the street runoff.

The real Property Division Ordinance defines a process for the review body to approve an Adjustment.

21.03.020(c) - Adjustments

Neither the planning commission nor the subdivision review board shall approve any adjustment request to the standards set forth in **Section 21.03.010** of this title or for required offers of dedication unless it makes each of the following findings:

- (1) That there special circumstances or conditions affecting the subdivision; and
- (2) That the granting of the adjustment will not have a material adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision; and
- (3) That the granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision. (Ord. 1986 §2 (part), 1979)

RESPOCE TO REQUIRED FINDINGS

(1) That there special circumstances or conditions affecting the subdivision;

- The site slopes downward from E Street toward Little Cayucos Creek and drops off at the E Street right of way very steeply resulting in less developable area for new residences once a driveway would reach natural grade after applying customary design criteria.
- Taking access from E Street for residences would result in garages facing onto E Street which would eliminate the use of the street frontage for parking, where currently none exists.
- The proposed centerline of the internal drive court that serves all seven residences is 75-feet from the front right of way line of E Street and none of the other four residences use this part of Cypress Glen Court for direct access (their parking or garages are beyond the proposed access point for the new project).

one floor below a garage), or the size of the units would be reduced significantly because of height limitations.

- The ordinance setback requirement from the riparian vegetation significantly reduces the developable area of the property.
- The addition of street parking in front of the project will improve the safety for all of the residents on E Street since the travel lanes of the street will be more clearly defined for vehicles coming in and out of E Street. Having garages facing E Street will create more opportunity for conflicts for all vehicles on E Street.

(2) That the granting of the adjustment will not have a material adverse effect upon the health or safety of persons residing or working in the neighborhood of the subdivision;

- Utilization of the existing private road for access to the residences will provide a clear expectation of where vehicles will be concentrated which provides certainty for residents, their guests, and emergency service vehicles.
- Having one point of access as opposed to multiple points of access onto E Street is safer and more predictable for existing residents and other visitors.
- Trash collection within the drive court will keep Cypress Glen more accessible to the existing four residences, thus eliminating inconvenience.
- The provision of street parking and a sidewalk in front of the project will make pedestrian travel safer. Having driveways along this frontage will introduce a more hazardous condition for pedestrians and virtually eliminate the street parking.
- The amount of vehicle trips generated by the project in conjunction with the existing vehicle trips does not even approach the minimum level of trips the road can accommodate.

(3) That the granting of the adjustment will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood of the subdivision. (Ord. 1986 §2 (part), 1979)

- The construction of these residences will enhance the character of the neighborhood since they are single family homes and not attached apartments or condos.
- Public safety will be enhanced by providing street parking and a pedestrian sidewalk where presently neither exists.
- Having one point of access via Cypress Glen will provide a streetscape that de-emphasizes the vehicle as a focus of neighborhood character.
- The project will be conditioned to underground the overhead power and telephone lines which will improve the beauty of the neighborhood and eliminate potential safety risk from downed power lines in the event of storms or acts of nature.
- Cypress Glen Court will be widened to 24-feet of width past the drive court and a pedestrian path will be provided along its edge.

- Parking requirements for the multi-family zoning are more intensive. The design of the units accommodates all of the parking needs within each lot and under the structures, eliminating the ubiquitous sea of parking that customarily accompanies projects in this zoning.

Please consider the granting of this adjustment as a means to implement a thoughtfully conceived and attractive urban infill project that complies with the spirit and intent of the Coastal Zone Ordinance and the Estero Area Plan.

Sincerely,



Daniel R. Lloyd